



IPW

Patent
Attorney's Docket No. 032004-007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of

Rainer K. Schmid

Application No.: 10/681,536

Filed: October 7, 2003

For: ENERGY RETURN SOLE FOR
FOOTWEAR

)
)
) Group Art Unit: 3728

)
) Examiner: Unknown

)
) Confirmation No.: 7472

**FIRST INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ [X] No additional fee for submission of an IDS is required.
- ☐ [] The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ [] A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ [] A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: May 11, 2004

By: Kirk M. Nuzum
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Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicant hereby submits the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98.

U.S. Patent References

D247,074	Henry	01-31-1978
75,900	Hale et al.	03-24-1868
324,065	Andrews	08-11-1885
413,693	Walker	10-29-1889
493,663	Steuart	03-21-1893
1,144,188	Gerlach	06-22-1915
1,236,924	Golden	08-14-1917
1,516,395	Miceli	11-18-1924
2,228,149	Maccarone	01-07-1941
3,739,500	Cox	06-19-1973
3,822,490	Murawski	07-09-1974
4,223,458	Kihara	09-23-1980
4,231,169	Toyama et al.	11-04-1980
4,279,415	Katz	07-21-1981
4,317,293	Sigle et al.	03-02-1982
4,457,084	Horibata et al.	07-03-1984

4,486,964	Rudy	12-11-1984
4,541,184	Leighton	09-17-1985
4,592,153	Jacinto	06-03-1986
4,597,196	Brown	07-01-1986
4,611,413	Brown	09-16-1986
4,628,621	Brown	12-16-1986
4,631,841	Hickey	12-30-1986
4,651,445	Hannibal	03-24-1987
4,642,911	Talarico, II	02-17-1987
4,858,338	Schmid	08-22-1989
4,910,884	Lindh et al.	03-27-1990
5,060,401	Whatley	10-29-1991
5,203,095	Allen	04-20-1993
5,282,325	Beyl	02-01-1994
5,337,492	Anderie et al.	08-16-1994
5,343,636	Sabol	09-06-1994
5,353,523	Kilgore et al.	10-11-1994
5,343,637	Schindler	09-06-1994
5,435,079	Gallegos	07-25-1995
5,678,327	Halberstadt	10-21-1997
6,029,374	Herr et al.	02-29-2000

Foreign Patent References

620,963	Germany	10-30-1935
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Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since the documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b) no fee or statement is required.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner-initialed copy of this form be returned to the undersigned.

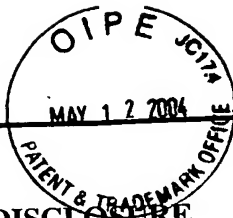
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SHEET 1 OF 1

Substitute for forms 1449A/PTO & 1449B/PTO

**FIRST INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

ATTORNEY'S DKT NO.

032004-007

APPLICATION NO.

10/681,536

APPLICANT

Rainer K. Schmid

FILING DATE

October 7, 2003

GROUP

Unknown

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	D247,074		Henry	01-31-1978
	75,900		Hale et al.	03-24-1868
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	4,317,293		Sigle et al.	03-02-1982
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	5,060,401		Whatley	10-29-1991
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	5,282,325		Beyl	02-01-1994
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	5,343,636		Sabol	09-06-1994
	5,353,523		Kilgore et al.	10-11-1994
	5,343,637		Schindler	09-06-1994
	5,435,079		Gallegos	07-25-1995
	5,678,327		Halberstadt	10-21-1997
	6,029,374		Herr et al.	02-29-2000

FOREIGN PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes	Translation No
	620,963		Germany	10-30-1935		X

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
Examiner Signature	Date Considered		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(07/03)